

20488/44-DIV-CON
PBD-00004-D1-CON
10/676,832
Examiner:
Not Yet Assigned



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: Hans-Ulrich DEMUTH et al.
Serial No.: 10/676,832
Attorney Docket No.: PBD-00004-D1-CON
Formerly 20488/44-DIV-CON
Filed: October 01, 2003
Art Group: 1646
Examiner: Not Yet Assigned
Title: METHOD FOR THE
IMPROVEMENT OF ISLET SIGNALING IN
DIABETES MELLITUS AND FOR ITS
PREVENTION

I hereby certify that this
correspondence is being deposited
with the United States Postal Service
as first class mail in an envelope
addressed to: Commissioner for
Patents, U.S. Patent and Trademark
Office, P.O. Box 1450, Alexandria,
VA 22313-1450, on the date
appearing below.

OSI Pharmaceuticals, Inc.

By Shu M. Lee
Shu M. Lee

Date 09 Aug 2005

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE REGARDING POWER OF ATTORNEY
AND CHANGE OF CORRESPONDENCE ADDRESS**

Applicants respectfully request reconsideration of the non-acceptance of the Power of Attorney mailed 05 May 2005 for the above-identified application. A copy is enclosed for the Examiner's convenience (the typographical error in the customer number 38724 is corrected). Applicants certify that the Power of Attorney is signed by one empowered to sign on behalf of the organization. Applicants respectfully submit that all the requirements of 37 CFR 3.73(b) to establish ownership and authority has been fulfilled. MPEP 324 states that an officer, such as the Chief Executive Officer, is presumed to have authority to sign the submission on behalf of the assignee. Prosidion Limited is the assignee of 100% interest, as evidenced by the enclosed copy of the Recordation submitted to the U.S. Patent and Trademark Office on April 11, 2005, of the

Confirmatory Assignment to Prosidion from Probiodrug – which itself was the holder of 100% interest in an assignment from the inventors recorded at Reel 012007, Frame 0643 on July 23, 2001. Anker Lundemose, as its Chief Executive Officer, is empowered to act on Prosidion's behalf.

Attorney for applicants hereby certifies that Prosidion is the assignee of 100% interest, that Anker Lundemose as Chief Executive Officer is empowered to sign on Prosidion's behalf, as evidenced by the previous submission. Commissioner is authorized to charge any deficiencies in fees and credit any overpayment to OSI Pharmaceuticals, Inc. Deposit Account No. **50-2783**.

Very truly yours,



Shu M. Lee
Attorney for Applicants
Registration No. 41,147
Telephone No. (631) 962-2056
or (516) 924-4035
Fax No. (631) 752-3880

09 August, 2005
OSI Pharmaceuticals, Inc.
58 South Service Road, Suite 110
Melville, NY 11747



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OSI Pharmaceuticals, Inc.

By Shu M. Lee
Shu M. Lee

Date 05 May 2005

Commissioner for Patents
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

REVOCATION AND NEW POWER OF ATTORNEY
AND CHANGE OF CORRESPONDENCE ADDRESS

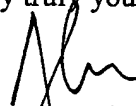
Prosidion Limited is the assignee of 100% interest, as evidenced by the enclosed copy of the Recordation submitted to the U.S. Patent and Trademark Office on April 11, 2005, of the Confirmatory Assignment to Prosidion from Probiobdrug – which itself was the holder of 100% interest in an assignment from the inventors recorded at Reel 012007, Frame 0643 on July 23, 2001. As the assignee of 100% interest, Prosidion hereby revokes all previous powers of attorney given in the above-identified application and hereby appoints the patent practitioners in the Legal Department of OSI Pharmaceuticals, Inc. registered to practice before the U.S. Patent and Trademark Office. They are presently Shu M. Lee, registration No. 41,147, Kimberly Nguyen, registration No. 47,821, and Alexander Stewart, registration No. 47,110.

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PBD-00004-D1-CON
10/676,832
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Further, Assignee requests change of Correspondence Address to the address below, associated with **Customer Number 538724**. Commissioner is authorized to charge any deficiencies in fees and credit any overpayment to OSI Pharmaceuticals, Inc. Deposit Account No. **50-2783**.

Very truly yours,



Anker Lundemose
Chief Executive Officer
Prosidion Limited

29 APRIL, 2005

Attorney for Applicants can be reached at the telephone number and address below.

Very truly yours,



Shu M. Lee
Attorney for Applicants
Registration No. 41,147
Telephone No. (631) 962-2056
or (516) 924-4035
Fax No. (631) 752-3880

05 May, 2005
OSI Pharmaceuticals, Inc.
58 South Service Road, Suite 110
Melville, NY 11747



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Form PTO-1595 (Rev. 03/05)
OMB No. 0651-0027 (exp. 6/30/2005)

U.S. DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

RECORDATION FORM COVER SHEET
PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)

PROBIODRUG AG

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance/Execution Date(s):

Execution Date(s) 21 Mar 2005, 05 April 2005

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Joint Research Agreement
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other _____

2. Name and address of receiving party(ies)

Name: PROSIDION LIMITED

Internal Address: _____

Street Address: Windrush Court, Watlington Road

City: Oxford, OX4 6LT

State: _____

Country: United Kingdom

Zip: _____

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

11/042,562,60/368197,10/117022,11/022087,09/932546,10/970526
10/200919,
10/361956,10/727209,09/745776,10/735582,09/745883
09/682968,10/246817,10/667200,60/443417,10/839122,
60/467914,60/499535,60/507408

B. Patent No.(s)

Additional numbers attached? ☒ Yes ☐ No

5. Name and address to whom correspondence concerning document should be mailed:

Name: Alison Blakey

Internal Address: _____

Street Address: Windrush Court, Watlington Road

City: Oxford, OX4 6LT, United Kingdom

State: _____ Zip: _____

Phone Number: 011 44 1865 782634

Fax Number: 011 44 1865 782601

Email Address: ablakey@prosidion.com

6. Total number of applications and patents involved: 44

7. Total fee (37 CFR 1.21(h) & 3.41) \$ 1,740.00

- ☐ Authorized to be charged by credit card
☐ Authorized to be charged to deposit account
☒ Enclosed
☐ None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 50-2783

Authorized User Name Shu Muk Lee

9. Signature:

Shu Muk Lee

Signature

11 April 2005
Date

Shu Muk Lee

Rec 741117

CONFIRMATORY ASSIGNMENT

WHEREAS PROBIODRUG AG (formerly Probiodrugg Gesellschaft für Arzneimittelforschung mbH) of Weinbergweg 22, 06120 Halle/Saale, Germany with its seat in Halle and registered with the commercial register of the local court of Halle-Saalkreis under folio no. HRB 13719, ("**Assignor**") is owner of the US Patent s and Patent Applications indicated in the schedule hereto ("**Patents**");

WHEREAS Assignor has by virtue of an Asset Transfer Agreement dated 17 June 2004 ("**Asset Transfer Agreement**") assigned the **Patents** to **PROSIDION LIMITED** (formerly OSI Diabetes Limited), a company registered in England and Wales under registered number 4600121 and having its registered office at Windrush Court, Watlington Road, Oxford, OX4 6LT, UK ("**Assignee**");

NOW, THEREFORE, to all whom it may concern be it known that **Assignor** having received good and valuable consideration from **Assignee** hereby confirms the assignment and transfer to **Assignee** with full title guarantee, free from all and any encumbrances, charges or other third party rights, of all right title and interest in the **Patents** including any continuation applications, divisional applications or continuation-in-part applications relating to such **Patents** and any patent applications or patents corresponding to or claiming priority from such **Patents** anywhere in the world and any extensions of the exclusivity granted in connection with such **Patents**, including but not limited to, extensions granted under the US Drug Price Competition and Patent Term Restoration Act 1984 and the EC Supplementary Protection Certificate Regulation (Council Regulation (EEC No 1768/92) and any legislation amending, replacing or implementing the foregoing; and including the right to recover and take all such proceedings as may be necessary for the recovery of damages or otherwise in respect of all infringements of any of the **Patents**, whether committed before or after the date of the **Asset Transfer Agreement**.

For **PROBIODRUG AG**:

Signed: _____

Name: Dr Hans-Ulrich Demuth

Capacity: Chief Executive Officer

Date: 21.03.2005

For **PROSIDION LIMITED**:

Signed: _____

Name: Dr Anker Lundemose

Capacity: Chief Executive Officer

Date: 5.04.05

SCHEDULE

PATENTS

10/186177
60/301158
6500804
10/216349
11/069544
10/196038
10/200870
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